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IN THE UNITED STATES DISTRICT COURT

DISTRICT OF UTAH, CENTRAL DIVISION

UNITED SPECIALTY INSURANCE
COMPANY,

Plaintiff,

vs.

EVEREST CONSTRUCTION LLC, and
KIMBERLY DELOBEL, an individual,

Defendants.

**STIPULATION AND MOTION FOR
DISMISSAL WITH PREJUDICE**

Civil No. 1:18-cv-00045-TC-BCW

Judge Tena Campbell

Magistrate Judge Brooke C. Wells

Plaintiff United Specialty Insurance Company and defendants Everest Construction, LLC and Kimberly Delobel, by and through their counsel of record as indicated below, hereby agree and stipulate that all of plaintiff's claims against these defendants and all counterclaims of defendants against plaintiff may be dismissed, with prejudice, each side to bear its own costs.

DATED this 4th day of June, 2019.

RICHARDS BRANDT MILLER NELSON

/s/ Gary L. Johnson
Gary L. Johnson
Jennifer H. Mastrorocco
Attorneys for Plaintiff

DATED this 4th day of June, 2019.

DEWSNUP KING OLSEN WOREL
HAVAS MORTENSEN

/s/ Edward B. Havas
(Signed w/ permission of Edward B. Havas)
EDWARD B. HAVAS
Attorneys for Defendants

MOTION TO DISMISS

Plaintiff, by and through its counsel of record, Gary L. Johnson and Jennifer H. Mastrorocco of RICHARDS BRANDT MILLER NELSON, moves this Court for an Order dismissing all claims in the Complaint and all Counterclaims, with prejudice. The basis of this Motion is set forth above in the Stipulation of the parties.

DATED this 4th day of June, 2019.

RICHARDS BRANDT MILLER NELSON

/s/ Gary L. Johnson
Gary L. Johnson
Jennifer H. Mastrorocco
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 4th day of June, 2019, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

Edward B. Havas
DEWSNUP KING OLSEN WOREL HAVAS MORTENSEN
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Attorneys for Defendants

/s/ Gary L. Johnson

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